

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X  
SOUL CIRCUS, INC.,

Plaintiff,

- against -

TREVANNA ENTERTAINMENT, LLC and  
THE APOLLO THEATER FOUNDATION, INC.,

Defendants.  
-----X

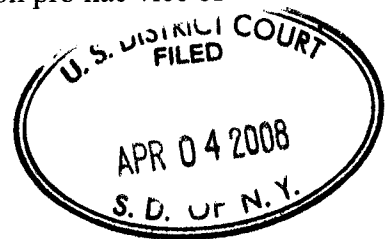
Case No. 07 CV 10597 (LAK)

**MOTION TO ADMIT COUNSEL**

**PRO HAC VICE**

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Court for the Southern and Eastern Districts of New York, I, T. Andrew Brown, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission pro hac vice of

Applicant's Name: R. DELACY PETERS, JR.  
Firm Name: Freeborn & Peters LLP  
Address: 311 S. Wacker Dr., Suite 3000  
City/State/Zip: Chicago, IL 60606  
Phone Number: (312) 360-6434  
Fax Number: (312) 360-6594

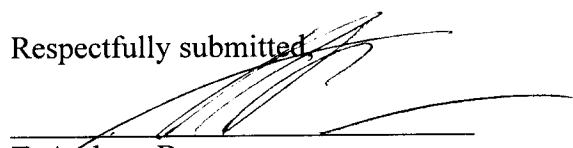


R. DELACY PETERS, JR. is a member in good standing of the Bar of the State of Illinois. There are no pending disciplinary proceedings against R. DELACY PETERS, JR. in any State or Federal court.

Dated: February 29, 2008

City, State: Rochester, New York

Respectfully submitted,

  
\_\_\_\_\_  
T. Andrew Brown  
SDNY Bar Code: TB7261  
Brown & Hutchinson, Attorneys at Law  
925 Crossroads Building  
Two State Street  
Rochester, New York 14614  
Phone: (585) 454-5050  
Fax: (585) 454-5066

4/4/08  
925-646713

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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SOUL CIRCUS, INC.,	:
	:
Plaintiff,	:
	:
- against -	:
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TREVANNA ENTERTAINMENT, LLC and	:
THE APOLLO THEATER FOUNDATION, INC.,	:
	:
Defendants.	:
-----X	

Case No. 07 CV 10597 (LAK)

**AFFIDAVIT OF  
T. ANDREW BROWN  
IN SUPPORT OF MOTION  
TO ADMIT COUNSEL  
PRO HAC VICE**

STATE OF NEW YORK     )  
                                  ) SS  
COUNTY OF NEW YORK    )

I, T. Andrew Brown, being duly sworn, hereby deposes and says as follows:

1. I am an attorney with Brown & Hutchinson, local counsel for Plaintiff in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Plaintiff's motion to admit R. Delacy Peters, Jr. as counsel pro hac vice to represent the Plaintiff in this matter.

2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in 1985. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.

3. I have known R. Delacy Peters, Jr. in a professional capacity for more than ten years.

4. Mr. Peters is an attorney with the law firm of Freeborn & Peters LLP, and works at its office located at 311 South Wacker Drive, Suite 3000, Chicago, Illinois 60606.

5. I have found Mr. Peters to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.

6. Accordingly, I am pleased to move the admission of R. Delacy Peters, Jr., pro hac vice.

7. I respectfully submit a proposed order granting the admission of R. Delacy Peters, Jr., pro hac vice, which is attached hereto as Exhibit A.

WHEREFORE it is respectfully requested that the motion to admit R. Delacy Peters, Jr., pro hac vice, to represent Plaintiff in the above captioned matter, be granted.

Dated: February 29, 2008

City, State: Rochester, New York

Notarized: 

DEBBIE C. D'AMBROSIO  
Notary Public, State of New York  
No. 01DA5002249  
Qualified in Monroe County  
Commission Expires Sept. 28, 2010

Respectfully submitted,

  
T. Andrew Brown

SDNY Bar Code: TB7261

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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SOUL CIRCUS, INC.,	:
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Plaintiff,	:
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- against -	:
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TREVANNA ENTERTAINMENT, LLC and	:
THE APOLLO THEATER FOUNDATION, INC.,	:
	:
Defendants.	:
-----X	

Case No. 07 CV 10597 (LAK)

**ORDER FOR ADMISSION  
PRO HAC VICE  
ON WRITTEN MOTION**

Upon the motion of T. Andrew Brown, attorney for Plaintiff Soul Circus, Inc. and said sponsor attorney's affidavit in support;

IT IS HEREBY ORDERED that

Applicant's Name:	R. DELACY PETERS, JR.
Firm Name:	Freeborn & Peters LLP
Address:	311 S. Wacker Dr., Suite 3000
City/State/Zip:	Chicago, IL 60606
Phone Number:	(312) 360-6434
Fax Number:	(312) 360-6594
E-mail:	rdpeters@freebornpeters.com

is admitted to practice pro hac vice for Plaintiff Soul Circus, Inc. in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at [nysd.uscourts.gov](http://nysd.uscourts.gov). Counsel shall forward the pro hac vice fee to the Clerk of Court.

Dated:  
City, State:

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United States District/Magistrate Judge

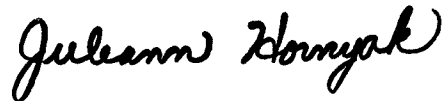
## **Certificate of Admission To the Bar of Illinois**

I, Juleann Hornyak, Clerk of the Supreme Court of Illinois, do hereby certify that

R. Delacy Peters, Jr.

has been duly licensed and admitted to practice as an Attorney and Counselor of Law within this State; has duly taken the required oath to support the CONSTITUTION OF THE UNITED STATES and of the STATE OF ILLINOIS, and also the oath of office prescribed by law, that said name was entered upon the Roll of Attorneys and Counselors in my office on October 31, 1989 and is in good standing, so far as the records of this office disclose.

In Witness Whereof, I have hereunto  
placed my hand and affixed the seal  
of said Supreme Court, at Springfield,  
in said State, this Wednesday, March 05, 2008.

A handwritten signature in black ink, reading "Juleann Hornyak". The signature is written in a cursive, flowing style.

Clerk

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**SOUL CIRCUS, INC.,**

**Case No.  
07 CV 10597**

**Plaintiff,**

**-v-**

**AFFIDAVIT OF  
SERVICE**

**TREVANNA ENTERTAINMENT, LLC and  
THE APOLLO THEATER FOUNDATION, INC.,**

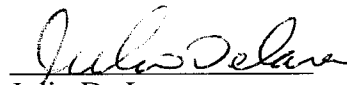
**Defendants.**

STATE OF NEW YORK     }  
COUNTY OF NEW YORK } ss.:

Julio De lara, being duly sworn, deposes and says: I am not a party to this action, am over 18 years of age and reside at Yonkers, NY:

On March 19, 2008 at 10:20 a.m. at 225 Broadway, Suite 400, New York, NY 10007, I served the within MOTION TO ADMIT COUNSEL PRO HAC VICE on LAWRENCE W. RADER, ESQ., attorney for defendant Trevanna Entertainment LLC, by delivering a true copy of same to Lawrence W. Rader, Esq. personally.

The person served was a white male, brown hair, 45-55 years old, 5'5"-579", 160-170 pounds.

  
Julio De Lara  
Lic. 991178

Sworn to before me this  
19<sup>th</sup> day of March 2008.

  
NOTARY PUBLIC

JOYCE LAZARUS

NOTARY PUBLIC-STATE OF NEW YORK

Exp. 03/11/13

2025th Street, New York County

NY 10007-2025 • Tel: 212-393-9070 • Fax: 212-393-9796

139 Fulton Street, New York, NY 10038

Tel: 212-393-9070 • 800-393-1277 • Fax: 212-393-9796

**LegalEase**  
Inc.

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**SOUL CIRCUS, INC.,**

**Case No.  
07 CV 10597**

**Plaintiff,**

**-v-**

**AFFIDAVIT OF  
SERVICE**

**TREVANNA ENTERTAINMENT, LLC and  
THE APOLLO THEATER FOUNDATION, INC.,**

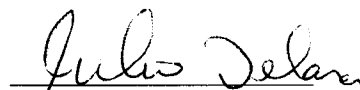
**Defendants.**

STATE OF NEW YORK     }  
COUNTY OF NEW YORK } ss.:

Julio De lara, being duly sworn, deposes and says: I am not a party to this action, am over 18 years of age and reside at Yonkers, NY:

On March 19, 2008 at 10:50 a.m. at 425 Lexington Avenue, New York, NY 10017, I served the within MOTION TO ADMIT COUNSEL PRO HAC VICE on JENNIFER R. RACKOFF, ESQ. c/o Simpson Thacher & Bartlett, LLP, attorney for defendant The Apollo Theater Foundation, by delivering a true copy of same to PETER ATARTOFILIS, Law Clerk, who stated he was authorized to receive same.

The person served was a white male, black hair, 20-30 years old, 5'6"-5'8", 160-170 pounds.

  
Julio De Lara  
Lic. 991178

Sworn to before me this  
19<sup>th</sup> day of March 2008.

  
NOTARY PUBLIC

NOTARY PUBLIC  
STATE OF NEW YORK

10

139 Fulton Street, New York, NY 10038

Tel: 212-393-9070 • 800-393-1277 • Fax: 212-393-9796

**LegalEase**  
Inc.